

RUTAN & TUCKER, LLP
 Attorneys at Law
 611 Anton Boulevard, 14th Floor
 Costa Mesa California 92626-1931
Mailing Address: Post Office Box 1950, Costa Mesa, California 92628-1950
Telephone: 714.641.5100 **Facsimile 714.546.9035**

RECEIVED
 CENTRAL FAX CENTER
JUN 02 2006

FACSIMILE TRANSMISSION

DATE: JUNE 2, 2006

TO	Hard Copy to Follow via Mail: NO	
NAME	FAX NO.	PHONE NO.
USPTO Mail Stop: Amendment Group Unit: 3644	571-273-8300	

FROM: Jacquelyn Campbell - 2279

RE: U.S. Patent Application No. 09/317303
 Unitary Configured Bird Repellent Apparatus
 Bruce Donoho

CLIENT/MATTER NO.: 100745.0021US1	NUMBER OF PAGES, INCLUDING COVER: 11
-----------------------------------	--------------------------------------

MESSAGE:

Please see the attached Response to Office Action. Thanks.
--

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AGENT RESPONSIBLE TO DELIVER THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

If there are problems receiving this fax Transmittal please call 714.641.5100, Ext 1235.

2279 100745 0021US1
 100/00 00

RECEIVED
CENTRAL FAX CENTER

JUN 02 2006
PATENT

Practitioner's Docket No. 100745.0021US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of. Bruce A. Donoho

Application No. 09/317,303

Filed. 05/24/1999

For Unitary Configured Bird Repellent Apparatus

Group No.: 3644

Examiner. Palo, Francis T

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

~~MAILED~~ ~~102205 103000000 103000000 0002/00/30~~

~~MAILED~~ ~~102205 103000000 103000000 0002/00/30~~

AMENDMENT TRANSMITTAL

- Transmitted herewith is an amendment for this application.

STATUS

- Applicant is a small entity. A statement was already filed

EXTENSION OF TERM

- The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for an extension of time under 37 C.F.R. 1.136 (secs. 37 C.F.R. 1.17(a)(1)-(4)) for one month.

06/06/2006 MAHMEEDI 00000046 09317303

01 FC:2251

60.00 DA

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional)*

I hereby certify that, on the date shown below, this correspondence is being

MAILING

or deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

37 C.F.R. § 1.8(a)
with sufficient postage as first class mail

37 C.F.R. § 1.10*
as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (mandatory)

TRANSMISSION

X facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

Jacquelyn Campbell
Signature
Jacquelyn Campbell

(Type or print name of person certifying)

* Only the date of filing (1.1(b)) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under 1.3 continues to be taken into account in determining timeliness. See 1.705(f). Consider "Express Mail Post Office to Addressee" (1.10) or facsimile transmission (1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Amendment Transmittal--page 1 of 2

RECEIVED
CENTRAL FAX CENTER

JUN 02 2006

Fee: \$60.00

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY			
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE		ADDIT. FEE	
TOTAL	25	- 25 = 0	\$ 25.00	= \$	0.00	
INDEP	3	- 3 = 0	\$ 100.00	= \$	0.00	
FIRST PRESENTATION OF MULTIPLE DEP CLAIM		+ \$ 0.00		TOTAL ADDIT. FEE	\$ 0.00	

No additional fee for claims is required.

FEE PAYMENT

5. Authorization is hereby made to charge the amount of \$60.00 to Deposit Account No. 502191.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above

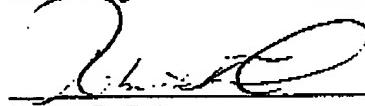
A duplicate of this paper is attached.

FEE DEFICIENCY

6. If an additional extension and/or fee is required, charge Account No. 502191.

If an additional fee for claims is required, charge Account No. 502191.

Date: 6/2/06



Robert D. Fish

Registration No 33880
Rutan & Tucker, LLP
611 Anton Blvd., Suite 1400
Costa Mesa, CA 92626
US
714-641-5100
Customer No. 34284

Amendment Transmittal—page 2 of 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

RECEIVED
CENTRAL FAX CENTER

JUN 02 2006

Appl No 09/317303
Applicant Bruce Donoho
Filing Date 5/24/99
Art Unit 3644
Examiner F. Palo

Attorney Docket No : 100745.0021US1

Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

This paper responds to the Office Action dated February 3, 2006. Please enter the amendments shown herein.

- Claim amendments begin on page 2;
- Remarks begin on page 5.